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1909 - 2009

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JUL 31 2009

July 31, 2009

PUBLIC SERVICE COMMISSION

Executive Secretary
North Dakota Public Service Commission
600 East Boulevard Avenue, Department 408
Bismarck, ND 58505-0480

ETC FILINGS

We enclose for filing on behalf of the companies shown on Attachment A hereto an original and seven copies of an Application for Protective Order and Trade Secret Protection of Rural Telephone Company Group. Pursuant to section 69-02-09-02 of the North Dakota Administrative Code, the trade secret information is being submitted under separate cover for each individual company in a sealed envelope labeled: TRADE SECRET - PRIVATE.

Thank you.

Don Negaard

jt

Enclosures

2 **PU-09-622** Filed: 7/31/2009 Pages: 6
Application for Trade Secret Protection

ATTACHMENT A

BEK Communications Cooperative
Consolidated Telcom
Dakota Central Telecommunications Cooperative and Dakota Central Telecom I, Inc.
Dickey Rural Access, Inc.
Dickey Rural Telephone Cooperative
Dickey Rural Communications, Inc.
Griggs County Telephone Company
Moore and Liberty Telephone Company
Halstad Telephone Company
Inter-Community Telephone Company, LLC
Midstate Communications, Inc.
Midstate Telephone Company
Nemont Telephone Cooperative, Inc./Missouri Valley Communications, Inc.,
Sagebrush Cellular, Inc.
North Dakota Telephone Company
Northwest Communications Cooperative
Polar Communications Mutual Aid Corporation
Polar Telcom, Inc.
Wolverton Telephone Company
Reservation Telephone Cooperative
United Telephone Mutual Aid Corporation/Turtle Mountain Communications, Inc.
West River Telecommunications Cooperative

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**APPLICATION FOR PROTECTIVE ORDER
AND TRADE SECRET PROTECTION
OF RURAL TELEPHONE COMPANY GROUP**

Each company which is listed individually on Attachment A hereto and collectively referred to as the Rural Telephone Company Group (the "RTCG") hereby moves the North Dakota Public Service Commission (the "Commission") for an Order under Chapter 69-02-09 and section 69-02-09-04 of the North Dakota Administrative Code granting Trade Secret Protection to certain of the materials filed by each individual company of the RTCG in compliance with North Dakota Administrative Code section 69-09-05-12(3) and section 69-09-05-12.1 in order to file their annual 2008 Essential Telecommunications Carrier ("ETC") reports.

1. Description. The information which each individual member of the RTCG wishes to have designated as Confidential is contained in a separate envelope for each individual company and is marked "TRADE SECRET – PRIVATE."

In general, the information so designated for each applicant company consists of:

- a. A description of Service Improvement Plans,
- b. A summary of Universal Service Support in the prior calendar year and the Expenditures of each company,
- c. An estimate of the Universal Service Support to be received in the upcoming calendar year and the planned capital expenditures of each company,

- d. A description of improvements and upgrades, and
 - e. An outage report.
2. The information so designated by each applicant company derives independent economic value, actual or potential, from not being generally known to other persons because the information is maintained as proprietary information and is not shared with the public or competitors except in a more general sense. The level of detail involved would easily allow competitors to determine the level of support and the cost of service to study areas and exchanges in each company's service areas.
3. The information is not readily ascertainable by proper means by other persons because it contains a description of matters which is only reviewed and known by the highest management level personnel and includes descriptions of capital spending plans and improvements in detail not available to those outside the management group.
4. A general description of those persons or entities that could obtain economic value from the disclosure or use of the information are competitor or potential competitors which include wireless providers, cable television providers, competitive local exchange carriers, internet providers, dish networks, and other local exchange carriers.
5. A specific description of the known competitors and competitors' goods and services that are pertinent to this filing are:
- a. Alltel, AT&T, and Verizon: cellular, CMRS, and data plans.
 - b. Midcontinent Communications: video, internet, and telecommunications.
 - c. Qwest: voice, data, and video services.

In addition to these providers, there is a host of competing technologies and providers on a national scale, such as Vonage and other providers of internet and voice over the internet providers ("VOIP") services.

6. A description of the efforts used to maintain the secrecy of the information includes assuring that access to the information is restricted to the employees and management-level persons who have a need to know the information and it is not disclosed to persons outside the company except under strict circumstances.

Dated at Minot, North Dakota, this 31st day of July, 2009.

PRINGLE & HERGISTAD, P.C.



By: Don Negaard, ND Bar ID #03598
Attorneys for each individual company
listed in attached Exhibit A of the
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